

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**APPEAL NO. 33 OF 2006
IN
NOTICE OF MOTION NO. 2284 OF 1996
IN
SUIT NO. 877 OF 1993**

1. Ahmed R. Currim & 2 ors.] .. Appellants
(Ori.Plaintiffs)

Versus

1. Lakhamshi Meghji Chheda & 11 ors.] .. Respondents
(Ori.Defendants)

Mr. N.H. Seervai, senior counsel with Mr. P. Pooniwala, Mr. Chirag Balsara, Mr. S.H. Merchant, Ms. Sushma Satpute and Mayuri Vasudeo i/b M/s. M & M Legal Venture for the appellants.

Mr. Pravin Samdani, senior counsel with Mr. Ketan Parekh i/b M/s. Prakash & Co. for the respondents No.1 to 4.

Mr. P.G. Lad for respondents No.5 to 9.

Mr. K.N. Gaikwad for respondents No.10 & 11.

**CORAM: R.M. LODHA &
ANOOP V. MOHTA, JJ.**

DATED: 27TH FEBRUARY, 2006

P.C. :

. Though we have admitted Appeal No.68 of 2006 (to the extent indicated in the order) and Appeal No.69 of 2006, we are of the view that the prayers made in the Notice of Motion NO. 2284 of 1996 which has given rise

to this Appeal cannot be granted and to that extent, the learned Motion Judge did not err in dismissing the Notice of Motion No. 2284 of 1996.

2. Appeal No.33 of 2006 is accordingly dismissed.

Sd/-
[R.M. LODHA, J.]

Sd/-
[ANOO V. MOHTA, J.]